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STATE OF WISCONSIN

BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF

DISCIPLINARY PROCEEDINGS AGAINST

JENNIFER L. MCNEIL,

RESPONDENT.

FINAL DECISION AND ORDER

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LS9906232MED

The parties to this action for the purposes of § 227.53, Wis. Stats., are:

*Jennifer L. McNeil
241 N. Middle Rd.
Belgium, WI 53004*

*Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Jennifer L. McNeil (dob 4/6/1967) is and was at all times relevant to the facts set forth herein a respiratory care practitioner certified in the State of Wisconsin pursuant to credential #353, first granted on 2/19/1992.
2. In May, 1998, respondent took a number of blank prescription pads from the Respiratory Therapy Office at St. Mary's Hospital without consent.
3. On June 15, 1998, respondent forged Dr. K's signature on two prescription orders and obtained 60 tablets of each of the controlled substances Valium® and hydrocodone from Port Apothecary Pharmacy in Port Washington, WI. Dr. K did not write or authorize either of these two prescription orders.
4. On May 9, 1998, respondent forged Dr. K's signature on a prescription order and obtained 40 tablets of the controlled substance hydrocodone from Wal-Mart Pharmacy in Saukville, WI. Dr. K did not write or authorize this prescription order.
5. On May 13, 1998, respondent forged Dr. G's signature on a prescription order and illegally obtained 60 tablets of the controlled substance hydrocodone from Walgreens Pharmacy in Mequon, WI. Dr. G did not write or authorize this prescription order.

6. On May 21, 1998, respondent forged Dr. K's signature on a prescription order and illegally obtained 40 tablets of the controlled substance hydrocodone from Wal-Mart Pharmacy in Saukville, WI. Dr. K did not write or authorize this prescription order.
7. On July 7, 1998, respondent attempted to refill the forged hydrocodone prescription order dated May 9, 1998 at Wal-Mart Pharmacy in Saukville, WI.
8. On July 1, 1998, respondent met with Ozaukee County Sheriff Department's Det. Steck and admitted forging the two prescription orders from June 15, 1998. Respondent turned over to Det. Steck one of the prescription bottles and 12 blank prescription forms from St. Mary's Hospital.
9. Respondent was charged with six counts of obtaining a prescription drug by fraud contrary to §450.11(7)(a) and §450.11(9) Wis. Stats., and expects to be convicted of one or more of these counts.
10. Respondent was diagnosed with polydrug dependence, is currently in a drug treatment program, and is not currently employed as a respiratory care practitioner. She represents to the Board that she has remained free of unprescribed controlled substances since July 17, 1998.

CONCLUSIONS OF LAW

- A. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to §448.02(3), Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- B. The conduct described in paragraphs 2, 3, 4, 5, 6, and 7, above, violated § Med 10.02(2)(p), Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.
- C. The conduct described in paragraph 9, above, violated § Med 10.02(2)(r) Wis. Adm. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the SURRENDER of the certificate to practice respiratory care of Jennifer L. McNeil is ACCEPTED.

IT IS FURTHER ORDERED, that any reapplication or petition for reinstatement is subject to the conditions set forth in the Stipulation.

Dated this June 23, 1999.

WISCONSIN MEDICAL EXAMINING BOARD

s/ Ronald Grossman MD

by: _____

a member of the Board